

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES SECURITIES &
EXCHANGE COMMISSION,

Plaintiff,

v.

SUDOL ET AL,

Defendants.

No. 05-01299 JSW (EDL)

**ORDER GRANTING APPLICATION TO
APPEAR TELEPHONICALLY**

On December 7, 2005, Plaintiff's counsel filed a request to allow her co-counsel, N. Blair Vietmeyer and Irene Gutierrez, to appear telephonically at the hearing on Defendants' Motion to Quash, set for January 31, 2006. Good cause appearing, IT IS HEREBY ORDERED that the Request is GRANTED subject to the following caution. The Court disfavors telephonic appearances because the technology prevents the Court from addressing a question to the parties or making a comment or ruling whenever any participant speaks at length. Accordingly, the parties shall only speak in response to a direct question from the Court and shall pause at regular intervals to allow the Court to comment on the information presented. If the Court wishes a rebuttal from the opposing party, the Court shall inform the party from whom information is requested. No party shall attempt to present information without a request from the Court. If the parties cannot follow the rules set forth in this order, or at the first sign of improper decorum, the telephonic appearance will be terminated and a new hearing date will be set for personal appearances.

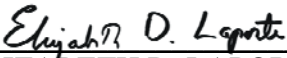
//

//

//

Counsel shall stand by beginning at the date and time above until called by the Court. No later than two Court days prior, the parties shall call the Court's courtroom deputy at 415-522-3694 to provide the Court with a direct dial number to call on for this appearance.

Dated: January 23, 2006


ELIZABETH D. LAPORTE
United States Magistrate Judge